

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.


GOOGLE INC.,

Defendant.

**REQUEST FOR  
CLARIFICATION RE  
ORACLE'S PROPOSAL  
FOR SOCIAL MEDIA  
SEARCHES**

In its most recent brief on social media searches, Oracle indicated that it only intends to conduct passive Internet searches of the jurors for public social media posts in order to monitor for potential misconduct, such as posting commentary about the case and that its investigators would *not* log in to any social media sites while monitoring the jurors' online activity (Dkt. No. 1537 at 1). As the Court understands it, however, Facebook users' "timelines" and lists of "friends" are *not* available to Internet users without Facebook accounts (or users who have logged out of their Facebook accounts). This limitation applies regardless of the user's privacy settings. By **WEDNESDAY, MARCH 23 AT NOON**, Oracle will please clarify how it intends to use passive logged-out review of jurors' Facebook profiles to monitor any juror misconduct throughout the course of the trial.

Dated: March 21, 2016.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE